



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No.102

Shillong, Thursday, July 12, 2007

21st Asadha, 1929 (S. E.)

PART - I

GOVERNMENT OF MEGHALAYA

COMMUNITY AND RURAL DEVELOPMENT DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 12th July, 2007.

No.CDD.160/2006/28.—In pursuance of Para 4.22 of Para 4.2 (Chapter 4) of the Backward Regions Grant Fund Guidelines, the Governor of Meghalaya is pleased to constitute the High Level Powered Committee under the Backward Regions Grand Fund with the following members with immediate effect and until further orders.

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|--|---|-----------|
| 1. Chief Secretary, Meghalaya | - | Chairman. |
| 2. Representative of the Ministry of Panchayati Raj to be nominated by the Ministry of Panchayati Raj. | - | Member. |
| 3. Representative of the Ministry of Urban Affairs to be nominated by the Urban Affairs. | - | Member. |
| 4. State Plan Adviser (NE), Planning Commission of a representative | - | Member. |
| 5. Commissioner & Secretary, C & RD Department | - | Member. |
| 6. Commissioner & Secretary, DCA Department | - | Member. |
| 7. Commissioner & Secretary, Planning Department | - | Member. |
| 8. Commissioner & Secretary, Finance Department | - | Member. |
| 9. Commissioner & Secretary, Urban Affairs Department | - | Member. |
| 10. Commissioner & Secretary, Education Department | - | Member. |
| 11. Commissioner & Secretary, Agriculture Department | - | Member. |
| 12. Commissioner & Secretary, Sports & Youth Affairs Department | - | Member. |
| 13. Commissioner & Secretary, Home (Police) Department | - | Member. |
| 14. Commissioner & Secretary, Industries Department | - | Member. |
| 15. Commissioner & Secretary, I. T. Department | - | Member. |
| 16. Deputy Commissioner of concerned BRGF District | - | Member. |

The functions of the Committee are :-

- (I) To consider and approve the District Plans to be taken up under the District in lieu of the BRGF as well as the Training Plan under BRGF.
- (II) To ensure supervision, management, monitoring and evaluation of the programme.

C. D. KYNDJING,

Commissioner & Secretary to the Govt. of Meghalaya,
Community & Rural Development Department.



Postal Registration No. N. E.—771/2006-2008

The Gazette of Meghalaya

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PUBLISHED BY AUTHORITY

No. 85

Shillong, Thursday July 12, 2007,

21st Asadha, 1929 (S. E.)

PART IV

GOVERNMENT OF MEGHALAYA

DISTRICT COUNCIL AFFAIRS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 2nd April, 2007.

No.GDC-L/8/87/Pt.II/72.—In pursuance of Paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Garo Hills Autonomous District Council which received the assent of the Governor of Meghalaya is hereby published for general information:-

(THE GARO HILLS ACT NO. _____ OF 2007)

(Passed by the Garo Hills Autonomous District Council on 29th March, 2007)

(Received the assent of the Governor on 11th July, 2007)

(Published in the Meghalaya Gazette on 12th July, 2007)

THE GARO HILLS AUTONOMOUS DISTRICT (MEMBERS' PENSION) ACT, 2007.

An

Act

to provide for payment of pensions to persons who served as Members of the Garo Hills Autonomous District Council.

Be it enacted in the Fifty Sixth Year of the Republic of India as follows:-

- Short title and commencement:-** (a) This Act may be called the Garo Hills Autonomous District Council (Members' Pension) Act, 2007.
(b) It shall be deemed to have come into force with effect from the date of publication in the Gazette.
- Definition :-**
 - "District Council" means the Garo Hills Autonomous District Council constituted under the provisions of the Sixth Schedule to the Constitution of India.
 - "Executive Committee" means the Executive Committee of the Garo Hills Autonomous District Council.
 - "Member" means a Member of the Garo Hills Autonomous District Council.

- (d) "Gazette" means the Gazette of Meghalaya.
- (e) "Governor" means the Governor of Meghalaya.
- (f) "Term" means a consecutive period of complete 5 (five) years from the date of Oath taking or affirmation.
- (g) "Remuneration/pay" means any amount paid to a Member of the Garo Hills Autonomous District Council in terms of monthly salary or remuneration.
- (h) "Pension" means any amount payable to a Member of the Garo Hills Autonomous District Council on the basis of fixed amount/percentage.

3. **Interpretation:-** If any question arises as to the interpretation of these sections it shall be referred to the Executive Committee for decision and the decision of the Executive Committee shall be final.

4. **Pension payable to Members:-** (1) With effect from the commencement of this Act, there shall be paid a pension to every person who served as Member of District Council and whose term of office is not less than five years whether continuous or not :

Provided that in the event of early holding of elections where any person has served as Member for a period falling short of five years shall always be deemed to have served for a complete period of five years if such period falls short by not more than three months.

(2) In computing the number of years for the purpose of sub-section (1), the period during which a person has served as Chief Executive Member, Deputy Chief Executive Member, Executive Member, Chairman or Deputy Chairman of the District Council or as Leader of the Opposition of the District Council shall also be taken into account.

5. **Pension to be held in abeyance or to be reduced in certain circumstances :-** (1) Where any person entitled to pension under Section 4 :-

- (a) is elected as a Member of Parliament or any local body, or
- (b) is elected to the office of the President or Vice-President of India or is appointed to the Office of the Governor of any State or the administration of any Union Territory, or
- (c) becomes a member of the District Council, or
- (d) is salaried Government servant of the Government of India of any State or an employee of the District Council or Regional Council or any local or autonomous body, or
- (e) is convicted in the Court of Law before or after the commencement of this Act or found to have been guilty of any offence or corrupt or illegal practice during the tenure of his/her membership of the District Council, or
- (f) is disqualified from the membership of the Garo Hills Autonomous District Council before or after the commencement of this Act, or
- (g) resigned from the Garo Hills Autonomous District Council earlier or during the tenure of the term of 5 (five) years, or
- (h) died during the tenure of membership of the Garo Hills Autonomous District Council.

Such person shall not be entitled to any pension under Section 4 for the period during which he continue to hold such Office or continues as member or is employed :

Provided that where the salary payable to such person for being so employed is less than the pension payable to him under Section 4 such person shall, be entitled only to receive the balance as pension under that section.

(2) Notwithstanding anything contained in this Act, any pension admissible for services rendered under the Union or State or any public undertaking or autonomous bodies, such pension shall not be deducted for the purpose of drawing pension under this Act.

6. **Mode of payment of pensions:-** In the case of a Member of the District Council the payment of pension per mensem completing the terms shall be appropriated as shown :-
- (a) Rs. 5,000/- for the first election term.
 - (b) Rs. 5,500/- for the second election term.
 - (c) Rs. 6,000/- for the third election term.
 - (d) Rs. 6,500/- for the fourth election term.
7. **Power to make Rule :-**(1) The Executive Committee may by notification make rules for carrying out the purpose of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for
 - (a) the form in which the authority to which application for pension shall be made.
 - (b) the certificates to be furnished along with application for pension.
 - (c) the declaration to be made at the time of drawing pension.
 - (d) any other matter necessary for proper implementation and enforcement of this Act.
8. **Decision on question relating to pension :-**If there is any doubt or dispute as to whether a person is entitled to a pension under this Act, the matter shall be referred to the Executive Committee and its decision shall be final.

This Act was passed by the Garo Hills Autonomous District Council on 29th March, 2007.

JAMINDRO R. MARAK,
Chairman,
Garo Hills Autonomous District Council, Tura.

I assent to this Act.

Dated Shillong,
The 11th July, 2007.

B. L. JOSHI,
GOVERNOR OF MEGHALAYA.